



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,651	03/21/2005	Erich Erhard Rugamer	W1.1993 PCT-US	8664
7590	10/10/2007		EXAMINER	
Douglas R Hanscom Jones Tullar & Cooper P O Box 2266 Eads Station Arlington, VA 22202			NGUYEN, ANTHONY H	
			ART UNIT	PAPER NUMBER
			2854	
			MAIL DATE	DELIVERY MODE
			10/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/528,651	RUGAMER, ERICH ERHARD	
	Examiner	Art Unit	
	Anthony H. Nguyen	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 11 July 0207.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 52-102 is/are pending in the application.
- 4a) Of the above claim(s) 81-93 and 97-102 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 52-80 and 94-96 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ . |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date
:3/21/05,6/28/05,8/9/05,6/5/06,2/27/07.

DETAILED ACTION

Applicant stated that claims 1-51 were the claims addressed in IPER which was issued on January 31, 2005 and that the Preliminary Amendment as claims 52-105 is proper.

Accordingly, the original numbering of the claims is returned as filed.

Applicant's election with traverse of Group II, Fig. 2, claims 52-80, 82-88 and 94-102 in the reply filed on July 11, 2007 acknowledged. The traversal is on the ground(s) that the search and examination of the species can be made without serious burden.

However, applicants' arguments are not found persuasive because applicant fails to show that the species are not patentably distinct and overlooks the extra burden of examining more than one species.

The requirement is still deemed proper and is therefore made FINAL.

It is noted that claims 82-88 and 97-102, which direct to a species of a single common signal line, do not read on the species of Group II, Fig.2

Accordingly, claims 81-93 and 97-102 are withdrawn from further consideration by the examiner, 37 C.F.R. § 1.142(b), as being drawn to a non-elected species.

Claim Objections

Claims 52-80 and 94-96 are objected to as being unclear, generally narrative, inferentially recited elements and lack of proper antecedent basis. For examples, claim 52 lines 3-10 and claim 82 lines 4-12 are generally narrative; and the language "assigned to each one of

them" (claim 52, lines 3 and 4) is unclear in that the elements "them" or "means of its position" or "it" are referred to. Additionally, the elements "drive motors" (claim 52 line 3), "drive units" (claim 1, line 3), "a lower-order drive control unit" (claim 52, lines 5 and 9), "one second signal line" (claim 52 lines 9 and 10) and "a master shaft" claim 51 line 6) are inferentially recited. There is no proper antecedent basis for "the drive units" (claim 52 lines 4 and 9), "the angular position set point" (claim 52, lines 7 and 8) and "the master shaft" (claim 52 line 8). Also, the language "can be" (claim 52, line 8) is not a positive claim language.

The above are simply examples of the errors present. Applicant is required to carefully review the claim and other claims and eliminate all such errors.

To the extent the claims are clear and positively recite structure, it appears that the following prior art rejection is proper.

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 52-80 and 94-96 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Grützmacher et al. (US 4,394,835) in view of Kohlmann (US 5,901,647).

With respect to claims 52, 55, 66, 94 and 96, Grützmacher et al. teaches a drive unit arrangement and method for driving a web-fed rotary processing machine having a plurality

units 4-15 which are driven mechanically independently of each other (see Grützmacher et al., the abstract) and having at least one signal line which connects the drive unit 29 and a control unit 78 as shown in Fig.4 of Grützmacher et al. Grützmacher et al. does not clearly teach a signal line which connecting the drive units or the drive control of the drive units. However, the use of a signal line to connect the drives and the control units is conventional. For example, Kohlmann teaches a plurality of drive units M8, M9, M11 and control units A8, A9 and A11 which are connected to a signal line 59 as shown in Fig.2 of Kohlmann. In view of the teaching of the conventional use of a signal line to connect the drives and the control units as exemplified by Kohlmann, it would have been obvious to one of ordinary skill in the art to modify the drive unit arrangement of Grützmacher et al. by providing the conventional use of a signal line as taught by Kohlmann to improve the efficiency of feeding a web through a printing machine for printing if in fact Grützmacher et al. does not teach a signal line for connecting the drive units and the drive control of the drive units.

With respect to claim 60, Grützmacher et al. teaches all that is claimed except the folder having a drive unit which is connected to the signal line. Kohlmann teaches a plurality of drive units M8, M9, M11 and control unit A8, A9 and A11 which are connected to a signal line 59 including the drive unit of drive units 19 and 22 (for example) of a folder 24 as shown in Fig.1 of Kohlmann. In view of the teaching of Kohlmann, it would have been obvious to one of ordinary skill in the art to modify the drive unit arrangement of Grützmacher et al. by providing the conventional signal line which connects to a folder drive unit as taught by Kohlmann to improve the efficiency of feeding a web through a printing machine and a folder.

Conclusion

The patents to Giori et al., Volz et al. and Knopf et al. are cited to show other structures and method having obvious similarities to the claimed structure method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169. The examiner can normally be reached daily from 9 AM to 5PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen, can be reached on (571) 272-2258.

The fax phone number for this Group is (571) 273 - 8300.

Anthony Nguyen
Anthony Nguyen
10/1/07
Patent Examiner
Technology Center 2800